THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.29453 of 1998

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the inaction on the part of the respondents in providing suitable employment to the petitioner in the first respondent Corporation as arbitrary, illegal and violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents to provide suitable employment to the petitioner under land losers quota.

The undisputed facts seem to be that the land of the petitioner along with others was acquired for the purpose of construction of HPCL (Hindustan Petroleum Corporation Limited) outlet by invoking the provisions of Land Acquisition Act. It is the case of the petitioner that he was promised by the respondents that he would be provided with suitable employment in the Corporation under land looser's quota. Petitioner submitted a representation to the fourth respondent on 9.5.1998 seeking employment under land losers quota. The fourth respondent vide proceedings No.RC.L.Dis.No.2584/98 dated 15.5.1998 forwarded the said representation to the second respondent. The petitioner also submitted another representation on 18.5.1998. While that being so, the respondents sent requisition to the District Employment Officer to sponsor the names of land oustees for the purpose of considering their cases for providing employment. According to the petitioner, his case was in fact sponsored by the Employment Exchange and he was subjected to written test, but, thereafter there was no response from the

respondents. Hence this writ petition.

A detailed counter affidavit has been filed on behalf of respondents 1 to 3. At para 9 of the said counter, it is stated that the Respondent Corporation requested the District Employment Officer, Employment Exchange, Vijayawada to sponsor the names of land losers vide letter dated 3.5.1998 and in pursuance of the said request, 14 candidates including the petitioner were sponsored. A written test was conducted on 23.5.1998 and 24.5.1998 and petitioner also attended the said test. However, some of the contract labour working at Tadepalli Depot, Guntur district filed W.P.No.11337 of 1998 and obtained directions not to fill up (8) posts vide order dated 5.5.1998. Further, another W.P.No.17050 of1998 was filed and this Court directed the Corporation not to fill up the posts of General Workmen pending further orders vide order dated 26.11.1998. The Corporation also filed vacate stay petition and the same is pending. In view of the same, the Respondent Corporation could not proceed with the recruitment process and the written test results are not yet announced.

However, the learned counsel for respondents state that as of now, the very notification has been withdrawn and no recruitment process was taken up though the writ petitions were dismissed.

Under those circumstances, this writ petition is disposed of directing Respondents to consider case of petitioner for appointment to any suitable post as and when vacancies arise in the Respondent Corporation and until the petitioner is considered and appointed, no further recruitment shall be taken up. No order as to costs.

C.V.RAMULU, J

Date: 10.10.2007

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.29453 of 1998

10.10.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.29453 of 1998

Date: 10th October, 2007

Between:

D.Prabhakara Rao

.. Petitioner

And

Hindustan Petroleum Corporation Ltd.,
rep. by its Senior Manager (Personnel),
Hindustan Petroleum Bhavan, Mumbai & others.

.. Respondents